

# Staff Summary Report



To: Mayor and City Council  
Through: City Manager

Agenda Item Number 47  
Meeting Date: 12/13/01

**SUBJECT:** SIXSHOOTERS SPORTS BAR AND GRILL #SGF-2001.80

**PREPARED BY:** DeeDee (D<sup>2</sup>) Kimbrell, Planner II (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

q-j

**BRIEF:** This is the first public hearing for a time extension for Sixshooters Sports Bar and Grill located at 705 South Rural Road.

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **SIXSHOOTERS SPORTS BAR AND GRILL** (Cornerstone Center 99 LLC, property owner; Richard Forbes/Sixshooters II, LLC, business owner) for a time limit extension for a use permit for a sports bar and pool hall with dancing and DJ entertainment located at 705 South Rural Road. The following approval is requested from the City of Tempe:

**#SGF-2001.80** An Amended General and Final Plan of Development for Cornerstone Shopping Center with a use permit for a 10,620 s.f. sports bar and pool hall in the PCC-1 Zoning District, including the following:

Condition to be extended (#2 09/30/99):

1. Within two (2) years of the date of City Council approval, the applicant shall return to the City Council for a review of compliance with the conditions of approval. (The applicant is requesting that the time extension be modified to 12/10/03).

Document Name: 20011213devsrh10

Supporting Documents: Yes

**SUMMARY:** In 1997, City Council granted a use permit for Sixshooters Sports Bar and Grill for a 10,620 s.f. sports bar and pool hall in the Cornerstone Shopping Center at the Northeast corner of University Drive and Rural Road. Then in 1999, Sixshooters Sports Bar and Grill received Council approval to allow dancing and DJ entertainment. The applicant is now returning to Council for review of compliance with conditions of approval and requesting a time extension of three years. The Police Department stated that this business has a good business history and that there have been no problems at this location, therefore, they support the time extension. Staff also supports the time extension and to date, no public input has been received.

**RECOMMENDATION:** Staff – Approval  
Public – None to date

- ATTACHMENTS:**
1. List of Attachments
  2. History & Facts / Description
  3. Comments / Reasons for Approval / Conditions of Approval
- 
- A. Location Map
  - B. Site Plan
  - C. Floor Plan

## **HISTORY & FACTS:**

<u>July 28, 1983</u>	Council approved a request of Trinity Development for rezoning from I-1 and I-2 to PCC-1, along with a General and Final Plan of Development for the "Plaza at Tempe" (subsequently "The Cornerstone"). This action reduced the stall size to 9' x 19' and the required parking from 836 to 740 spaces.
<u>June 28, 1984</u>	Council approved a Final Plan of Development for the Mann Theaters in the Cornerstone. This action provided 99 spaces for the theater at current Ordinance requirements.
<u>November 30, 1986</u>	After six continuances, Council approved an Amended Plan for the Cornerstone, allowing use permits for a nightclub and outside dining for the American Athletic Club. The tenant improvements for this project were never completed, and the club never opened.
<u>December 10, 1987</u>	Council approved a use permit for an 8,800-s.f. "Improv Comedy Club" at the Cornerstone, consisting of a total of 115,185 s.f..
<u>August 24, 1995.</u>	Council approved an Amended General and Final Plan of Development for the center which included building setback variances to allow for architectural treatments to existing buildings for greater tenant visibility. The approval was made subject to four conditions.
<u>November 16, 1995.</u>	Council approved a use permit to allow 718 s.f. of outside dining for Einstein's Bagel at the Cornerstone, subject to three conditions.
<u>June 11, 1996.</u>	Planning Commission as part of their agenda, approved the owner's use permit request to park the center by peak demand, subject to conditions.
<u>March 7, 1997</u>	The Zoning Administrator approved an updated parking study for the Cornerstone shopping center, dated 2/24/97.
<u>September 30, 1999.</u>	City Council approved a 2 year time extension and use permit requested by Sixshooters Sports Bar and Grill to allow dancing/DJ entertainment at their existing 10,620 s.f. sports bar/pool hall in the PCC-1 Zoning District.

**DESCRIPTION:** Owner – Cornerstone Center 99 LLC  
Applicant – Richard Forbes  
Existing zoning – PCC-1  
Site Area – 10.9 acres  
Total Building Area – 117,113 s.f.  
Leased Area (Sixshooters) – 10,620

**COMMENTS:**

In 1997, City Council granted a use permit for Sixshooters Sports Bar and Grill for a 10,620 s.f. sports bar and pool hall in the Cornerstone Shopping Center at the Northeast corner of University Drive and Rural Road. Then in 1999, Sixshooters Sports Bar and Grill received Council approval to allow dancing and DJ entertainment. Staff has received no complaints since the use permit was issued. The applicant is now returning to Council for review of compliance with conditions of approval and also requesting a time extension of three years. The Police Department stated that this business has a good business history and that there have been no problems at this location, therefore, they support the time extension. Staff also supports the time extension and to date, no public input has been received.

**REASON(S) FOR  
APPROVAL:**

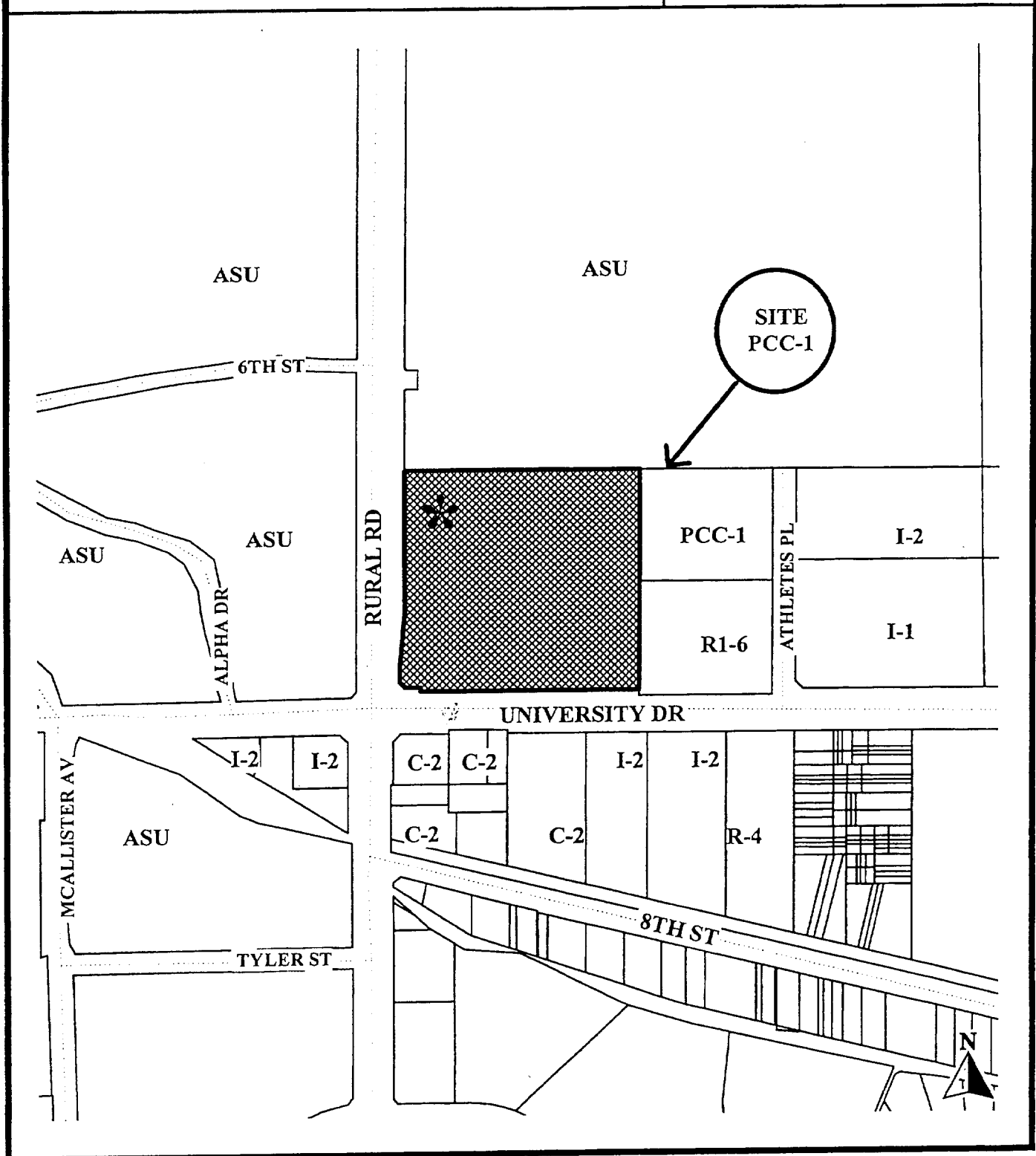
1. The proposed time extension of the existing use should not create any detrimental effects to the surrounding properties and appears to pass the required ordinance test.

**CONDITION(S)  
OF APPROVAL:**

1. The use permit is non-transferable and is issued to Richard Forbes/Sixshooters II, LLC, only.
2. The applicant shall return to City Council **on or before December 10, 2003,** for a review of compliance with the conditions of approval.
3. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
4. Any significant verifiable police complaints (as determined by the City Attorney and Police Dept.) shall require the applicant to return to the City Council for re-evaluation of the use permit.

# SIXSHOOTERS SPORTS BAR & GRILL

SGF-2001.80



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# SIXSHOOTERS SPORTS BAR & GRILL

SGF-2001.80

## SYMBOL(S):



EXISTING BUILDINGS

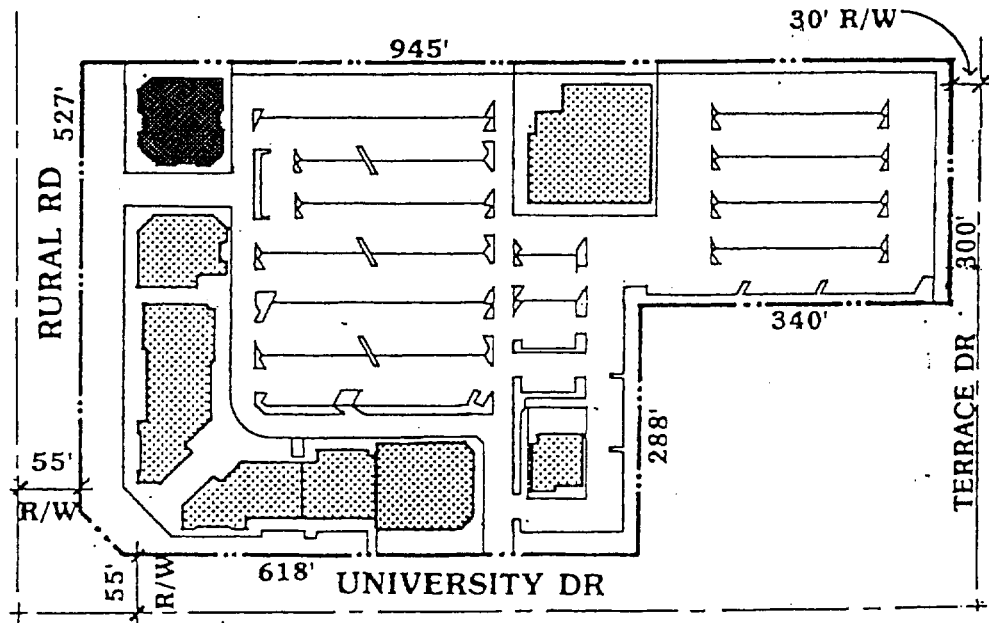


AREA REQUESTING A USE PERMIT (10,620 S.F.)

## SITE DATA:

NET ACRES: 10.9 AC  
TOTAL BUILDING AREA: 117,113 S.F.

## USE PERMIT(S): (SEE BELOW)



## PUBLIC HEARING NOTICE

This is a notice for two public hearings for SIXSHOOTERS SPORTS BAR AND GRILL (Cornerstone Center 99 LLC, property owner; Richard Forbes/Sixshooters II, LLC, business owner) for a time limit extension for a use permit for a sports bar and pool hall with dancing and DJ entertainment located at 705 South Rural Road. The following approval is requested from the City of Tempe:

#SGF-2001.80 An Amended General and Final Plan of Development for Cornerstone Shopping Center with a use permit for a 10,620 s.f. sports bar and pool hall in the R-100 Zoning District, including the following:

Condition to be extended (#2 09/30/99):

1. Within two (2) years of the date of City Council approval, the applicant shall return to the City Council for a

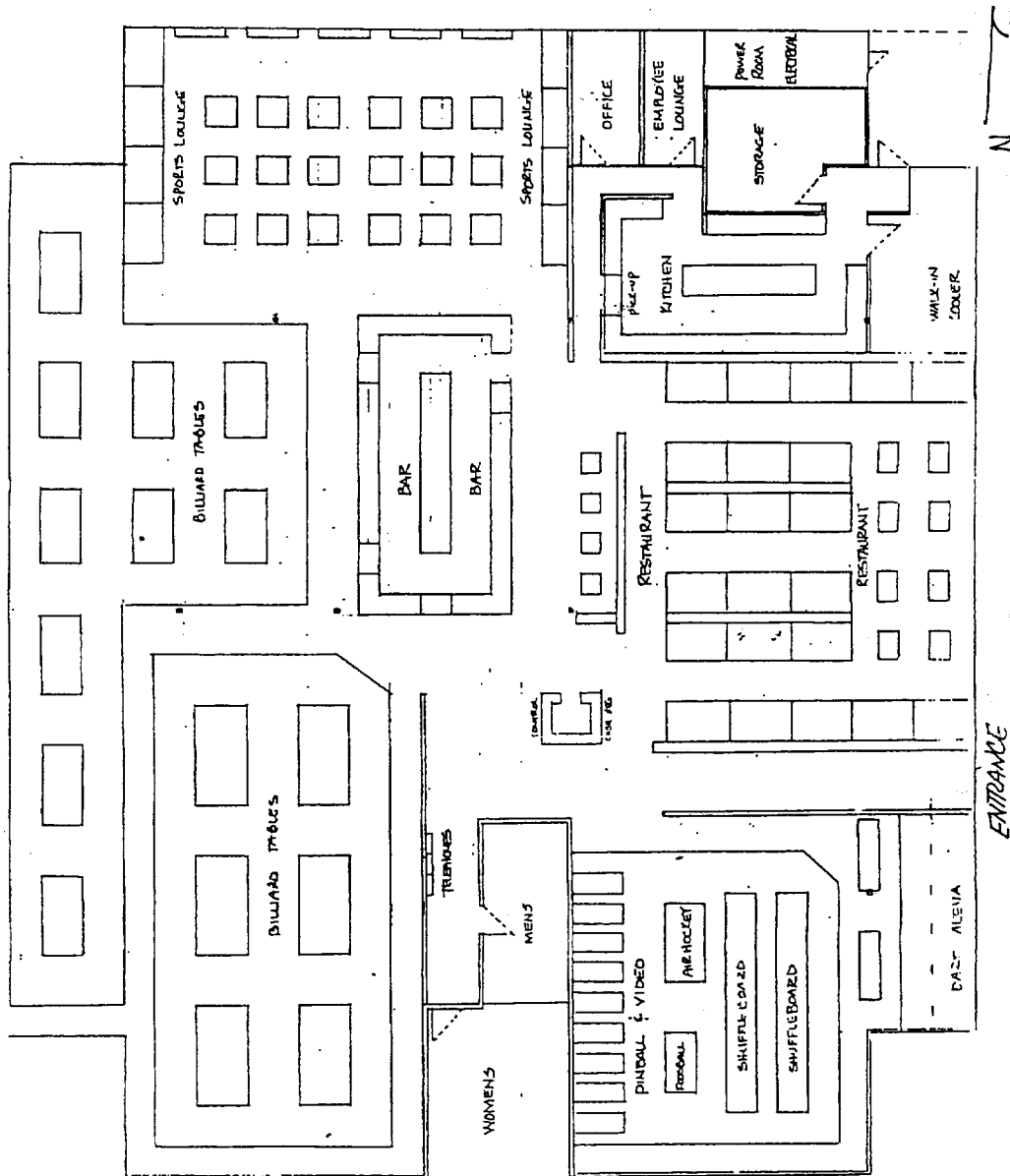
EXHIBIT "B-2"

JUL 29 1997

S9F97.57

To Lease dated July 8, 1997  
by and between  
Damson/Birtcher Realty Income Fund-I, a Pennsylvania limited partnership, as Landlord, and  
Sixshooters, Inc., an Arizona corporation, and Arizona Stores, Inc., an Arizona corporation, jointly and severally, as Tenant

FLOOR PLAN OF THE PREMISES TENANT'S WORK



SIXSHOOTERS (BLDG. A)

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